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17 UNITED STATES DISTRICT COURT
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19 NORTHERN DISTRICT OF CALIFORNIA
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21 SAN FRANCISCO DIVISION
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23 IN RE: WARNER MUSIC GROUP
24 CORP. DIGITAL DOWNLOADS
25 LITIGATION
26
27
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CASE NO. 12-CV-0559-RS

**JOINT STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE FINAL
APPROVAL MOTION FILING DATE AND
HEARING DATE**

Judge: Hon. Richard Seeborg

1 Kathy Sledge Lightfoot, Ronee Blakley and Gary Wright (“Plaintiffs”), on behalf
2 of themselves and the Settlement Class, and Defendant Warner Music Group (“Defendant” or
3 “WMG”) (referred to collectively herein with Plaintiffs as the “Parties”), by and through their
4 attorneys, hereby stipulate as follows:

5 WHEREAS, on January 23, 2014 the Court preliminarily approved the settlement
6 of this matter on a class-wide basis (the “Preliminary Approval Order”);

7 WHEREAS, pursuant to the Preliminary Approval Order, putative class members
8 had until May 31, 2014 to submit their claim forms in order to receive benefits from the
9 settlement;

10 WHEREAS, WMG began processing the claim forms on a rolling basis beginning
11 in April 2014;

12 WHEREAS, the procedure for processing the claim forms is a very time-
13 consuming process that includes the following:

- 14 ♦ Identification of all contracts relating to the artist submitting the claim form
15 within WMG’s extensive contract database holding hundreds of thousands of
16 contracts, which research often results in the identification of dozens of
17 agreements and amendments for each claimant;
- 18 ♦ Mailing of a cure letter if the artist has provided insufficient information to
19 determine whether there are any contracts for the claimant in WMG’s files;
- 20 ♦ Review of the contracts identified to determine whether all signatories to the
21 relevant contracts have submitted a claim form;
- 22 ♦ Mailing of a cure letter if all of the artist signatories have not filed claim forms;
- 23 ♦ Review of the contracts identified and additional WMG information to
24 determine whether the claimant is a party to one or more Class Contracts as
25 defined by the Parties’ settlement agreement and entitled to relief under the
26 settlement, including:
 - 27 ➤ Review to determine whether one or more of the artists’ contracts are
28 dated prior to January 1, 2002;

- Review to determine whether each contract dated prior to January 1, 2002 is a royalty rate contract and does not provide for some other compensation structure;
- Review of WMG information outside of the contracts dated prior to January 1, 2002 to determine whether the claimant has previously settled with WMG the issue of the payment of royalties on downloads and mastertones;

WHEREAS, WMG has received approximately 2,000 claim forms that require processing;

WHEREAS, over half of the claim forms were received during the last week of May or after May 31, 2014;

WHEREAS, WMG currently has five full time claims processors and five part time claims processors working on this project;

WHEREAS, to date WMG has been able to process less than half of the claims and will not be able to process all of the claims in order to provide adequate information about the claimants and their relief in time for the filing of the motion for final approval of the settlement, which is currently set for August 28, 2014 pursuant to the Preliminary Approval Order with the Fairness Hearing set for October 2, 2014;

WHEREAS, the Parties have met and conferred and agree that it is important to be able to complete the claims processing procedure before the filing of the motion for final approval of the settlement;

WHEREAS, in order to ensure that the claims processing procedure is completed prior to the filing of the motion for final approval, Plaintiffs and Defendant have agreed, subject to the approval of the court, to a ninety (90) day continuance of the deadline to file the motion for final approval of the settlement and of the date for the Fairness Hearing; and

WHEREAS, the Preliminary Approval Order specifically states that “the hearing date or time of for the Fairness Hearing may be moved *sua sponte* by the Court or pursuant to a stipulation by the parties subject to Court approval without providing additional notice to Class

Members” (Preliminary Approval Order, ¶ 18).

Therefore, **IT IS HEREBY STIPULATED AND AGREED**, subject to approval of the Court, that the time for Plaintiffs to file their motion for final approval of the Settlement Agreement currently set for August 28, 2014 be continued to November 26, 2014. It is further stipulated and agreed that the Fairness Hearing currently scheduled for October 2, 2014 be continued to January 8, 2015, the first Court hearing day after the passage of 90 days.

Respectfully submitted,

PEARSON, SIMON & WARSHAW, LLP

By: /s/ Daniel L. Warshaw
DANIEL L. WARSHAW

*Interim Lead Counsel Representative for Plaintiffs**

MUNGER, TOLLES & OLSON LLP

By: /s/ Tamerlin J. Godley
TAMERL J. GODLEY

Attorneys for Defendant Warner Music Group Corp.

* A complete list of the attorneys for Plaintiffs is attached to the Second Consolidated Amended Complaint.

Filer's Attestation

I, Tamerlin J. Godley, am the ECF user whose identification and password are being used to file this STIPULATION TO CONTINUE FINAL APPROVAL MOTION FILING DATE AND HEARING DATE. In compliance with General Order 45.X.B, I hereby attest that the counsel listed above concur in this filing.

DATED: July 30, 2014

/s/ Tamerlin J. Godley
TAMERLIN J. GODLEY

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2
3 Dated: 7/30/14

A handwritten signature in blue ink, appearing to read "Richard Seeborg", is written over a horizontal line.

4 Honorable Richard Seeborg
5 United States District Court Judge
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